



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stark et al

Serial No.: 10/669,297

Filed: October 30, 2003

Customer No.: 33123

For: **PUPILOMETER WITH PUPIL IRREGULARITY DETECTION, PUPIL TRACKING, AND PUPIL RESPONSE DETECTION CAPABILITY, GLAUCOMA SCREENING CAPABILITY, INTRACRANIAL PRESSURE DETECTION CAPABILITY, AND OCULAR ABERRATION MEASUREMENT CAPABILITY**

CERTIFICATE OF MAILING

I hereby certify that this correspondence and the attached papers are being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated below in an envelope addressed to:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

4-6-04
Date

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an Information Disclosure Statement, PTO-1449 Forms (5 pages), and cited references for filing in the above referenced application. **Because this filing is before receipt of a First Office Action on the merits for the above-captioned application**, no filing fee is due. If it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.



The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A copy of this sheet is enclosed.

Respectfully submitted,
HELLER EHRLMAN WHITE & McAULIFFE LLP

By:

David A. Hall
Registration No. 32,233

Attorney Docket No.: 39569-2661D

Address all correspondence to:

HELLER EHRLMAN WHITE & McAULIFFE LLP
4350 La Jolla Village Dr., 6th Floor
San Diego, CA 92122-1246
Telephone: (858) 450-8400 - Facsimile: (858) 450-8499
EMAIL: dhall@hewm.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stark et al
Serial No.: 10/669,297
Filed: October 30, 2003
Customer No.: 33123

For: **PUPILOMETER WITH PUPIL IRREGULARITY
DETECTION, PUPIL TRACKING, AND PUPIL
RESPONSE DETECTION CAPABILITY,
GLAUCOMA SCREENING CAPABILITY,
INTRACRANIAL PRESSURE DETECTION
CAPABILITY, AND OCULAR ABBERRATION
MEASUREMENT CAPABILITY**

CERTIFICATE OF MAILING

I hereby certify that this correspondence and the attached papers are being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated below in an envelope addressed to:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

4-6-04

Date

Jennifer U. D.

**INFORMATION DISCLOSURE STATEMENT
IN ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Because this Information Disclosure Statement is filed prior to receipt of a First Office Action on the merits of the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, then any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all material references known by Applicant or Applicants' representative, this Information Disclosure Statement prepared in accordance with 37 C.F.R. §§ 1.97-1.98 is hereby submitted. Attached is a Form PTO-1449 (5 pages) for filing in connection with the above cited continuation application.

In accordance with 37 C.F.R. § 1.98(d), copies of the cited documents are not provided, as they have been previously provided in connection with the related case of U.S. Application Serial No. 09/711,675 filed November 9, 2000, on which the present application relies for priority, and which is a continuation-in-part of U.S. Serial No. 09/523,778 filed March 13, 2000, now U.S. Patent No. 6,260,968, which is a continuation of U.S. Serial No. 09/298,670 filed April 23, 1999, now U.S. Patent No. 6,116,736.

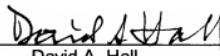
Applicant(s): Stark et al
Serial No. 10/10/669,297 - Filed: October 30, 2003
INFORMATION DISCLOSURE STATEMENT
Page 2

Although these documents and information are made known to the Patent and Trademark Office in compliance with Applicants' duty of disclosure, such disclosure is not to be construed as an admission by Applicants or Applicants' representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

Applicants respectfully request that the Examiner review the foregoing references and request that they be made of record in the file history of the above-captioned application.

Respectfully submitted,

HELLER, EHRMAN, WHITE & McAULIFFE LLP

By: 

David A. Hall
Registration No. 32,233

Address all correspondence to:
HELLER EHRMAN WHITE & McAULIFFE LLP
4350 La Jolla Village Dr., 7th Floor
San Diego, CA 92122-1246
Telephone: (858) 450-8400
Facsimile: (858) 450-8499

SD 657108 v1 (39569.2661)

FORM PTO-1449 (Modified)							ATTY. DOCKET NO. 39569-2661D	SERIAL NO. 10/699,297	
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT							APPLICANT Stark et al		
APR 09 2004 PATENT & TRADEMARK OFFICE U.S. GOVERNMENT							FILING DATE 10/30/03	GROUP Unknown	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
	3	5	3	3	6	8	3	10/13/70	Stark et al.	351	206	06/13/67
	3	5	3	3	6	8	4	10/13/70	Stark et al.	351	206	06/26/67
	3	6	3	8	6	4	0	02/01/72	Shaw	600	323	11/01/67
	3	9	0	3	8	7	1	09/09/75	Chisum et al.	600	489	05/01/74
	3	9	0	4	2	8	0	09/09/75	Tate, Jr.	351	211	12/28/73
R	E	2	8	8	7	3		06/22/76	Morgan	604	298	05/13/74
	3	9	6	6	3	1	0	06/29/76	Larson	351	211	02/15/74
	4	1	5	7	8	6	4	05/12/79	Koller et al.	351	160H	02/28/77
	4	1	9	4	8	1	5	03/25/80	Trombley	351	160R	06/28/78
	4	4	1	0	2	4	5	10/18/83	Koester	351	219	04/14/80
	4	4	8	5	8	2	0	12/04/84	Flower	600	320	05/10/82
	4	6	4	1	3	4	9	02/03/87	Flom et al.	382	117	02/20/85
	4	6	4	9	9	0	8	03/17/87	Ghaly	128	858	03/01/85
	4	6	5	2	0	9	9	03/24/87	Lichtman	351	162	05/30/84
	4	6	6	4	4	9	0	05/12/87	Roi	351	219	05/02/85
	4	7	5	5	0	4	3	07/05/88	Carter	351	205	11/14/85
	4	8	6	3	2	6	0	09/05/89	Gersten et al.	351	212	12/27/88
	4	8	7	1	2	4	7	10/03/89	Haynes	351	219	02/29/88
	4	9	0	7	5	9	7	03/13/90	Chamoun	600	544	10/09/87
	4	9	0	7	8	7	2	03/13/90	Schirmer et al.	351	160R	06/03/88
	4	9	6	6	4	5	2	10/30/90	Shields et al.	351	219	04/27/89
	5	0	1	0	8	9	1	04/30/91	Chamoun	600	544	04/12/89

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

FORM PTO-1449 (Modified)							ATTY. DOCKET NO. 39569-2661D	SERIAL NO. 10/699,297		
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT							APPLICANT Stark et al			
							FILING DATE 10/30/03	GROUP Unknown		

U.S. PATENT DOCUMENTS												
	5	1	1	7	8	3	5	06/02/92	Mick	600	561	08/30/91
	5	1	3	7	3	4	5	08/11/92	Waldorf et al.	351	206	05/15/91
	5	1	3	9	3	2	6	08/18/92	Snider	351	205	09/17/90
	5	1	7	9	9	5	3	01/19/93	Kursar	600	399	08/27/91
	5	1	8	7	5	0	6	02/16/93	Carter	351	221	09/28/90
	5	2	0	4	7	0	3	04/20/93	Hutchinson	351	210	06/11/91
	5	2	1	4	4	5	6	05/25/93	Gersten	351	212	10/09/91
	5	2	3	1	6	7	4	06/27/93	Cleveland et al.	382	117	05/13/91
	5	2	9	1	5	6	0	03/01/94	Daughman	382	117	07/15/91
	5	2	9	7	5	5	4	03/29/94	Glynn et al.	600	476	09/27/91
	5	3	3	6	2	1	5	08/09/94	Hsueh	606	4	01/22/93
	5	3	8	7	9	5	2	02/07/95	Byer	351	208	01/31/94
	5	4	0	8	3	5	9	04/18/95	Ferret et al.	359	601	09/20/93
	5	4	0	8	9	9	8	04/25/95	Mersch	600	334	03/10/94
	5	4	3	0	5	0	5	07/04/95	Katz	351	208	08/17/93
	5	4	9	0	0	9	8	02/06/96	Kardon	702	1	02/10/94
	5	5	2	8	3	2	3	06/18/96	Fujieda et al.	351	218	01/29/93
	5	5	4	3	8	6	5	08/06/96	Nanjo	351	206	01/17/95
	5	5	6	5	9	3	9	10/15/96	Fujieda	351	212	03/03/95
	5	6	4	6	7	0	9	07/08/97	Carter	351	218	04/18/95
	5	6	4	9	7	2	7	07/22/97	St. Louis	349	1.2	05/06/96
	5	6	6	1	5	3	8	08/26/97	Carter	351	237	11/15/95
	5	7	7	2	2	9	8	08/30/98	Miyake	351	205	02/24/97
	5	7	8	4	1	4	5	07/21/98	Ghodse et al.	351	205	07/24/95

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

FORM PTO-1449 (Modified)							ATTY. DOCKET NO. 39569-2661D	SERIAL NO. 10/699,297		
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT							APPLICANT Stark et al			
							FILING DATE 10/30/03	GROUP Unknown		

U.S. PATENT DOCUMENTS

	5	8	1	3	9	8	2	09/29/98	Baratta	600	398	02/22/94
	5	8	3	1	6	6	7	11/03/98	Siminou	348	63	09/27/96
	5	8	4	1	5	0	2	11/24/98	Miwa	351	209	12/01/97
	5	8	8	3	6	9	1	03/16/99	Ishikawa et al.	351	221	05/15/96
	5	8	9	2	5	6	8	04/06/99	Carter	351	218	07/07/97
	5	9	0	3	3	3	3	05/11/99	Siminou et al.	351	160R	06/24/97
	5	9	5	3	0	9	7	09/14/99	Stark	351	160R	06/24/97
	5	9	6	3	3	0	0	10/05/99	Horowitz	351	209	02/17/95
	6	0	2	2	1	0	9	02/08/00	Dal Santo	351	221	12/10/98
	6	1	1	5	1	1	1	09/05/00	Korah et al.	356	4,01	10/05/98
	6	1	1	6	7	3	6	09/12/00	Stark et al.	351	206	04/23/99
	6	1	9	9	9	8	5	03/13/01	Anderson	351	221	05/15/99
	6	2	6	0	9	6	8	07/17/01	Stark et al.	351	205	03/13/00
	6	3	8	9	1	6	9	05/14/02	Stark et al.	382	225	06/08/98
	0	1	8	1	7	8	6	12/05/02	Stark et al.	382	225	05/13/02
	6	6	3	7	8	8	1	10/28/03	Siminou	351	200	02/19/02

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER						DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes	No
	9	4	9	0	8	4	09/13/56	DE				X
	7	1	7	1	1	0	04/07/95	JP				X
	9	5	2	2	2	7	08/24/95	PCT				
	8	1	4	0	9	3	06/04/96	JP				X
	10	5	0	0	0	3	01/06/98	JP				X

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 (Modified)	ATTY. DOCKET NO. 39569-2661D	SERIAL NO. 10/699,297
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		
APPLICANT Stark et al		
FILING DATE 10/30/03	GROUP Unknown	

FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER		DATE	COUNTRY	CLASS	SUB CLASS
		0 0 6 4 3 3 0		11/02/00	PCT		
		0 2 4 6 8 0 1		06/13/02	PCT		

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)	
AMTech GmbH, "Introducing CIP: compact integrated pupilograph and nystagmograph", 18 pages (1997).	
Asano et al., "Pupillometry", Quarterly progress report no. 66, Mass. Inst. of Technology, 402-412 (July 15 1962).	
ASL, Model 1050, "Pupilscan and pupilscreen" 5 pages (1997)	
ASL Applied Science Laboratories, "Pupilscreen, pupilscreen automatic self measurement pupillometry", 5 pages	
Bishop, "Pathologic pupillary signs: self-learning module, part 3," Critical care nurse 11(8):30-32.	
Bishop, "Pathologic pupillary signs: self-learning module, part 2," Critical care nurse 11(7):58-67.	
Bishop, "Pathologic pupillary signs: self-learning module, part 1," Critical care nurse 11(6):56-63.	
Blackmon et al., "Model-based supervisory control in telerobotics," Presence Teleoper Virtual Environ 5(2): 205-23 (1996)	
Chesnut et al., "The localizing value of asymmetry in pupillary size in severe head injury: relation to lesion type and location", Neurosurgery 34(5):840-846 (May 1994)	
Choi et al., "String editing analysis of human visual search," Optom Vis Sci. 72(7): 439-51 (1995)	
Fairville Medical Options, Inc., "Pupilscan II: hand-held, electric pupillometer", 3 pages.	
Fairville Medical Options, Inc., "Pupilscan II: hand-held, cordless pupillometer", 4 pages (February 12 1997).	
Finnila C.A., "A convenient eye position and pupil size meter" (partial), 4 pages (1960).	
Gauthier et al., "Adapted head- and eye-movement responses to added-head inertia," Aviat Space Environ Med. 57(4): 336-42 (1986)	
Hacisalihzade et al., "Computer analysis of eye movements," Comput Methods Programs Biomed. 40(3):181-7 (1993)	
Hung et al., "The interpretation of kernels--an overview," Ann Biomed Eng. 19(4):509-19 (1991)	
JAPIO Abstract for Japanese Patent Application, JP 07-171104, published 07/11/95, "Outer diameter measuring equipment, electronic pupil meter, and autonomic function inspecting device".	
Krenz et al., "Neurophysiological model of the normal and abnormal human pupil, IEEE transactions on biomedical engineering, Vol. BME-32, 10:817-825 (October 1985)	
Krieger et al., "Prognostic and clinical relevance of pupillary responses, intracranial pressure monitoring, and brainstem auditory evoked potentials in comatose patients with acute supratentorial mass lesions", critical care medicine, 21:1944-1950 (December 1993).	
Lum et al., "Feedforward stabilization in a binocular unloading task," Exp Brain Res. 89(1): 172-80 (1992)	
Marshal et al., "Pupillary abnormalities, elevated intracranial pressure and mass lesion location", Intracranial pressure VI, Springer-Verlag Berlin Heidelberg, 656-660 (1986).	

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

FORM PTO-1449 (Modified)	ATTY. DOCKET NO. 39569-2661D	SERIAL NO. 10/699,297
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		APPLICANT Stark et al
	FILING DATE 10/30/03	GROUP Unknown

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)		
	Marshall et al., "The oval pupil: clinical significance and relationship to intracranial hypertension, <i>J. Neurosurg.</i> 58:566-568 (April 1983).	
	Miyao et al., "Effects of VDT resolution on visual fatigue and readability: an eye movement approach," <i>Ergonomics</i> 32(6):603-14 (1989)	
	Myers et al., "Level dependent signal flow in the light pupil reflex. II. Phase velocity of responses to sinusoidal light stimuli," <i>Bio/Cybern.</i> 68(3): 235-40 (1993)	
	Myers et al., "Level dependent signal flow in the light pupil reflex, <i>Biological Cybernetics</i> , 68:229-234 (1993).	
	Nam et al., "Effect of external viscous load on head movement," <i>IEEE Trans Biomed Eng.</i> 31(3): 303-9 (1984)	
	Nguyen et al., "Model control of image processing: pupillometry," <i>Comput Med Imaging Graph.</i> 17(1):21-33 (1993)	
	Stark, L., "The pupil as a paradigm example a neurological control system: mathematical approaches in biology". The pupil: anatomy, physiology, and clinical applications, Vol. I, Iowa State University Press:630-647 (1993)	
	Stark et al., "Top-down and bottom-up image processing", Proceedings of IEEE 1997 international conference on neural networks, 6 pages (June 1997).	
	Stark, L., "Stability oscillations and noise in the human pupil servomechanism", Proceedings of the IRE, 1925-1939 (1959)	
	Stark et al., "Pupil Unrest: An example of noise in a biological servomechanism", <i>Nature</i> , 4639, 857-858 (Sept. 27 1958)	
	Stark et al., "Instrumentation and robotic image processing using top-down model control", Robotics and manufacturing, ASME press:675-682 (1988).	
	Sun et al., "Comparative patterns of reading eye movements in Chinese and English," <i>Percept Psychophys.</i> 37(6):502-6 (1985)	
	Sun et al., "A systems model for the pupil size effect. I. Transient data," <i>Bio/ Cybern.</i> 48(2):101-8 (1983)	
	Sun et al., "Pupillary escape intensified by large pupillary size", <i>Vision Res.</i> 23(6):611-615 (1983).	
	Usui et al., "Sensory and motor mechanisms interact to control amplitude of pupil noise", <i>Vision Res.</i> , 18:505-507 (1978)	
	Wyatt, Harry J., "The Form Of the Human Pupil", <i>Vision Res.</i> , Vol. 35, No. 14, pp. 2021-2036, Pergamon 1995.	
	Yarbus A., "Eye movements and vision", Plenum Press, N.Y. 28-41 (1967).	
	Zhou et al., "Efficiency of searchpatterns," <i>Comput Biol Med.</i> 23(6): 511-24 (1993)	

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	